

FENWICK & WEST LLP

SAN FRANCISCO OFFICE | EMBARCADERO CENTER WEST 275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111 TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

RECEIVED **CENTRAL FAX CENTER**

FEB 17 2006

FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: February 17, 2006

CLIENT-MATTER No.: 22930-06067

| NAME U.S. Patent and Trademark Office Central Fax Number | | FAX NO. | PHONE NO. |
|--|-----------------|-----------------|-----------|
| | | (571) 273-8300 | |
| FROM: | Robert R. Sachs | PHONE: (415) 87 | 75-2410 |

SENT BY:

Tomika Thomas

PHONE:

(415) 875-2474

| NUMBER OF PAGES WITH COVER PAGE: 14 | ORIGINAL WILL NOT FOLLOW |
|-------------------------------------|--------------------------|
| MESSAGE: | |
| Ame | ndment C |
| | |
| | |

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR, PLEASE CALL TOMIKA THOMAS AT (415) 875-2474 AS SOON AS POSSIBLE.

CENTRAL FAX CENTER

FEB 17 2006

| TRANSMITTAL FORM (to be used for all correspondence during pendency of filed application) | | | Application Number | | 09/863,801 | | | | | |
|--|--------------------|-----|-----------------------|---|---------------------|-------------------|--|--|--|--|
| | | | Filing Date | | May 22, 2001 | | | | | |
| | | | First Named Inventor | | Tom Van Horn et al. | | | | | |
| | | | Group Art Unit Number | | 3627 | | | | | |
| | | | Examiner Name | | Elaine L. Gort | | | | | |
| Total Number of Pages in This Submission 13 | | | Atto | Attorney Docket Number 22930-06067 US | | US | | | | |
| ENCLOSURES (check all that apply) | | | | | | | | | | |
| Fee Transmittal Form (in duplicate) Check Enclosed Return Receipt Postcard Response to Notice to File Missing Parts Assignment & Recordation Cover Sheet Declaration Power of Attorney Application Data Sheet Information Disclosure Statement & PTO/SB/08A Copies of IDS Cited References Request for Corrected Filing Receipt Request for Correction of Recorded Assignment Amendment/Response: [12] Page(s) After Final Status Request Revocation and Substitute Power of Attorney | | | | Issue Fee Transmittal Letter to Chief Draftsperson Formal Drawing(s): Sheet(s) of Figure(s) [| | | | | | |
| REMARKS: | | | | | | | | | | |
| TOPHEY OF ACENT | | | | | | | | | | |
| SIGNATURE OF ATTORNEY OR AGENT | | | | | | | | | | |
| Signature: | | | _ | | Dated: | February 17, 2006 | | | | |
| Attorney/Reg. No.: | Robert R. Sachs, 1 | | | | | | | | | |
| CERTIFICATE OF FACSIMILE TRANSMISSION | | | | | | | | | | |
| CERTIFICATE OF FACSIBILE TRANSMISSION I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below. | | | | | | | | | | |
| Signature: | 7 | | | | | 7 2000 | | | | |
| Typed or Printed Na | me: Robert R. Sa | cns | | | Dated: | February 17, 2006 | | | | |

(571) 273-8300

Facsimila Number:

CENTRAL FAX CENTER

FEB 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Tom Van Horn, Richard V. Halbert and Linda S. Perkins

SERIAL NO.:

03:52PM

09/863,801

FILING DATE:

May 22, 2001

TITLE:

Attaining Product Inventory Groupings For Sales In A Group-

Buying Environment

EXAMINER:

Elaine L. Gort

GROUP ART UNIT:

3627

ATTY. DKT. NO.:

22930-06067

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to the U.S. Patent and Trademark Office at facsimile number (703) 872-9306 and addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Dated: February 17, 2006

By:

Robert R. Sechs, Reg. No. 42,120

MAIL STOP AF COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

AMENDMENT C UNDER 37 C.F.R. § 1.113

Sir:

This amendment is in response to the Final Office Action mailed December 19, 2005, which set a shortened statutory period that expires on March 19, 2006.

Amendments to the claims begin on page 2.

Remarks begin on page 9.